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C O N F I D E N T I A L SECTION 01 OF 02 TBILISI 000484

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SUBJECT: GEORGIA: INCIDENT PREVENTION MECHANISM STALLED

REF: A. GENEVA 183
B. TBILISI 407

Classified By: Ambassador John F. Tefft for Reasons 1.4 (b) and (d).

¶1. (C) Summary and comment. Despite efforts by the EU Monitoring Mission (EUMM), OSCE and UNOMIG to facilitate implementation of the incident prevention mechanism agreed in Geneva, Abkhaz and South Ossetian de facto authorities have publicly announced their unwillingness to cooperate for now. The Abkhaz maintain the mechanism can only be implemented once a new UN mandate is approved; the Ossetians seem to want to delay implementation without being the ones to kill it. The Georgians remain cooperative and committed to implementation. Several recent incidents demonstrate the potential usefulness of a mechanism in reducing tension. Unless the Abkhaz, South Ossetians and Russians change their approach, this spring is likely to see a new round of security incidents. End summary and comment.

¶2. (C) Shortly after the February 17-18 Geneva talks (ref A), the EUMM, OSCE and UNOMIG began meeting to develop an implementation plan for the "Proposals for joint incident prevention and response mechanisms" agreed to by all sides. On March 5, EUMM Head of Mission Hansjoerg Haber and UN Special Representative Johan Verbeke offered diplomatic colleagues an update on the progress of that effort.

South Ossetian Foot-Dragging

¶3. (C) The EUMM has been in contact with South Ossetian de facto "presidential representative" Boris Chochiev, who insisted that the international monitoring organizations' implementation proposal be provided in writing. Haber characterized Chochiev's written reply, which he had just received, as a "museum piece in foot-dragging," with several proposed changes of little substance that will all take time to resolve. On the location for a mechanism, Chochiev insisted on so-called "neutral" territory, i.e., territory on the administrative boundary, between the Georgian and Ossetian checkpoints. Haber noted such a proposal could be a problem for the Georgians, who do not want to reinforce the reality of the boundary; the Georgians have proposed alternating meetings between the two sides of the boundary. On the conduct of the meetings themselves, Haber proposed a generic template to be used for the format and subsequent minutes. Chochiev insisted that a discussion of the agenda for each meeting should be on the agenda for that meeting, as should a discussion of the agenda for the next meeting (thereby filling two agenda slots with agenda discussions, and discussing each meeting's agenda at least twice). Haber proposed having no chair of the meetings, but Chochiev suggested the chairmanship should rotate among all participating parties -- thus potentially raising the status issue, because the Georgians would be unlikely to accept the Ossetians taking the chair. On the language of the meetings, Haber proposed that the EUMM provide any necessary interpretation, but Chochiev said the language must be Russian, with the various parties responsible for making

their own arrangements as necessary.

¶ 4. (SBU) South Ossetian de facto authorities have also made public statements suggesting they are not ready to rush into implementation of the mechanism. In its so-called "official" statement following the Geneva talks, the South Ossetian delegation seemed to place three conditions on the implementation of the mechanism, including a legally binding non-use of force commitment from Georgia; agreement between Onon-use of force commitment from Georgia; agreement between the OSCE and the de facto authorities before OSCE could have access to South Ossetia; and an implied exclusion of the EUMM from South Ossetia. In remarks posted on a de facto website in English, South Ossetian de facto "foreign minister" Murat Djioev called the proposals for a mechanism agreed in Geneva as "of an advisory character." He also made explicit the exclusion of the EUMM from South Ossetia, explaining that the EUMM has no mandate to operate in South Ossetia, thereby implying that EUMM participation in joint visits of the mechanism to incident sites -- part of the agreed text -- would be problematic.

¶ 5. (C) Colonel Tarasov, Russian commander of South Ossetia, told the EUMM he has not received any instructions on implementing a mechanism. (Note: In the past, Russian military officials have been extremely reluctant to undertake any new initiatives without specific instructions. End note)

Abkhaz Position - Let's Wait and See What Happens to UNOMIG

¶ 6. (C) UNOMIG has been in contact with Abkhaz de facto authorities, and Verbeke reported that the Abkhaz do not in principle object to the mechanism. They told him, however,

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that they believe it should only be implemented once a new UN mandate for Abkhazia has been approved, which is unlikely to occur before June. In addition, Verbeke noted that the de facto authorities' stance was influenced in part by the EU's rejection of Abkhazia's self-declared sovereignty. The de facto authorities made a similar point publicly on February 24 in connection with statements reportedly made by EU officials that recognition by Belarus of the so-called independence of Abkhazia and South Ossetia would complicate Minsk's relationship with the EU. In a statement on the Abkhaz de facto ministry of foreign affairs website, the de facto authorities state that a recent statement by the Czech foreign minister (and EU chair) "threatens the process of Geneva talks under the aegis of the EU. . . In connection with this, the (de facto) MFA of the republic of Abkhazia announces its readiness to reconsider the conditions of the EU's involvement in the peaceful dialogue between Georgia and Abkhazia, and also in the incident prevention and response mechanisms, agreed at the recent meeting of the sides in Geneva."

Georgia - Let's Make it Work

¶ 7. (C) The Georgians remain open to the mechanism. Deputy Director of the International Organizations Office of the MFA Shalva Tsiskarashvili told EmbOffs March 11 that the Georgian government supported the idea of the mechanism and stood ready to implement it as soon as possible. Habr and Verbeke reported no significant difficulties on their implementation proposals from the Georgian side. Haber noted that the Georgian suggestion to alternate the location of the meetings from one side of the administrative boundary to the other might be problematic for the South Ossetians, but did not see this issue as a deal-breaker.

COMMENT: They Were Only Proposals, After All

¶ 8. (C) In Geneva, as the text mechanism agreement neared finalization, the Russian delegation objected to the suggested removal of the words "Proposals for" from the name of the document. Other participants noted that removing such

terms was akin to removing the phrase "Draft" from a working text once it has been agreed, to no avail. For the sake of achieving consensus and finalizing the agreement, the other participants did not insist on the suggestion -- but the Russian objection boded poorly for the practical success of the mechanism itself. Sure enough, the Abkhaz, South Ossetians and Russians have not shown any interest in implementing the mechanism expeditiously. The South Ossetians have explicitly emphasized the conditional nature of the "Proposals," and the Abkhaz linkage of the mechanisms with their objections to EU policy suggests they are more interested in punishing the EU than implementing a plan to improve their own security. If the Russians encouraged them, the de facto authorities would likely be more cooperative -- but the Russians have not even sent instructions to their own personnel.

¶9. (C) Several recent incidents, including the forced removal of innocent villagers from their homes in Abkhazia (ref B) and the detention of two Georgians in South Ossetia, would likely have benefited from a forum that offered all sides a chance to offer their version of events. The EUMM even made a public statement to this effect about the detentions. If the Abkhaz and South Ossetians maintain their stance that the UN and OSCE mandates must be resolved before the mechanism can be implemented, and if the Russians continue to enable such a position, this spring will likely see a new round of incidents that might have been deterred had the mechanism been in place.

TEFFT